



Attorney Docket No. 021565-060 Patent 1635

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

Peter Michael Waterhouse et al.

Application No.: 09/287,632

Filing Date: April 7, 1999

Title: METHODS AND MEANS FOR OBTAINING MODIFIED PHENOTYPES

Group Art Unit: 1635

Examiner: Karen A. LaCourciere

Confirmation No.: 6526

TENTH  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a TENTH Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☐ No additional fee for submission of an IDS is required.
- ☒ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☒ A check in the amount of \$ 180.00 is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

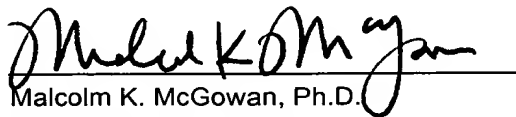
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By



Malcolm K. McGowan, Ph.D.

Registration No. 39,300

Date: May 28, 2004

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In re Patent Application of	)	
Peter Michael Waterhouse et al.	)	Group Art Unit: 1635
Application No.: 09/287,632	)	Examiner: Karen A. LaCourciere
Filed: April 7, 1999	)	Confirmation No.: 6526
For: METHODS AND MEANS FOR	)	
OBTAINING MODIFIED PHENOTYPES	)	

**TENTH INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

A fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is enclosed.

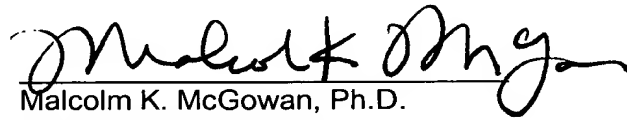
To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date May 28, 2004

By:



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# **TENTH INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

<b>Application Number</b>	09/287,632
<b>Filing Date</b>	April 7, 1999
<b>First Named Inventor</b>	Peter Michael Waterhouse et al.
<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	021565-060

**U.S. PATENT DOCUMENTS**

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation	
					Yes	No

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	J.A. Brussian et al., "An Arabidopsis Mutant with a Reduced Level of <i>cab140</i> RNA is a Result of Cosuppression", The Plant Cell, vol. 5, June 1993, p. 667-677, American Society of Plant Physiologists, Rockville, MD, USA
	W.G. Dougherty et al., "Transgenes and Gene Suppression: telling us something new?", Current Opinion in Cell Biology, 1995, vol. 7, p. 399-405; Current Biology, London, UK
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	Y.H. Kook et al., "The Effect of Antisense Inhibition of Urokinase Receptor in Human Squamous Cell Carcinoma on Malignancy", The EMBO Journal, vol. 13, no. 17, p. 3938-3991, 1994, Oxford University Press, Oxford, England
	J.A. Lindbo et al., "Virus-Mediated Reprogramming of Gene Expression in Plants", Current Opinion in Plant Biology, vol. 4, p. 181-185, 2001, Elsevier Science Ltd., Amsterdam, Holland
	P. Meyer, "Understanding and Controlling Transgene Expression", TIBTECH, September 1995, vol. 13, p. 332-337, Elsevier Science, Amsterdam, Holland

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

# **TENTH INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2**Complete if Known**

<b>Application Number</b>	09/287,632
<b>Filing Date</b>	April 7, 1999
<b>First Named Inventor</b>	Peter Michael Waterhouse et al.
<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	021565-060

MAY 28 2004

**NON-PATENT LITERATURE DOCUMENTS**

Examiner	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	P. Meyer, "Homology-Dependent Gene Silencing in Plants", Annu. Rev. Plant Physiol. Plant Mol. Biol., 1996, vol. 47, p. 23-48, Annual Reviews, Inc., Palo Alto, California
	M.K. Montgomery et al., "RNA as a Target of Double-stranded RNA-mediated Genetic Interference in <i>Caenorhabditis elegans</i> " Proc. Natl. Acad. Sci. USA, vol. 95, December 1998, p. 15502-15507, the National Academy of Sciences, Washington, D.C.
	M.C. Moroni et al, "EGF-R Antisense RNA Blocks Expression of the Epidermal Growth Factor Receptor and Suppresses the Transforming Phenotype of a Human Carcinoma Cell Line", The Journal of Biological Chemistry, vol. 267, no. 5, issue of February 5, 1992, p. 2714-2722, American Society for Biochemistry and Molecular Biology, Baltimore, MD
	C. Napoli et al., "Introduction of a Chimeric Chalcone Synthase Gene into Petunia Results in Reversible Co-Suppression of Homologous Genes <i>in trans</i> ", the Plant Cell, vol. 2, April 1990, p. 279-289, American Society of Plant Physiologists, Rockville, MD
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	S. Swaney et al., "RNA-Mediated Resistance with Nonstructural Genes from the Tobacco Etch Virus Genome", MPMI Vol. 8, no. 6, 1995, p. 1005-1011, The American Phytopathological Society, St. Paul, Minnesota
	R. Van Blokland et al, "Transgene-mediated Suppression of Chalcone Synthase Expression in <i>Petunia hybrida</i> Results from an increase in RNA Turnover", The Plant Journal, 1994, vol. 6, no. 6, p. 861-877, Blackwell Sciences, Oxford, England
	A.R. van der Krol et al., "Flavonoid Genes in Petunia: Addition of a Limited Number of Gene Copies May Lead to a Suppression of Gene Expression", The Plant Cell, vol. 2, April 1990, p. 291-299, American Society of Plant Physiologists, Rockville, MD

Examiner  
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